

Village of La Grange Public Hearing and Regular Board Meeting*

Date: Monday, December 14, 2009

Time: 7:30 PM

Location: Village Hall Auditorium

Minutes of the Meeting

MINUTES

VILLAGE OF LA GRANGE

PUBLIC HEARING AND BOARD OF TRUSTEES REGULAR MEETING

Village Hall Auditorium

53 South La Grange Road

La Grange, IL 60525

Monday, December 14, 2009 - 7:30 p.m.

PUBLIC HEARING

I. CALL TO ORDER AND ROLL CALL

The public hearing of the Board of Trustees of the Village of La Grange was called to order at 7:30 p.m. by President Asperger. On roll call, as read by Administrative Secretary Ellie Elder, the following were:

PRESENT: Trustees Holder, Horvath, Kuchler, Langan, Livingston, and Palermo

ABSENT: Village Clerk Milne

OTHERS: Village Manager Robert Pilipiszyn

Village Attorney Mark Burkland

Assistant Village Manager Andrianna Peterson

Community Development Director Patrick Benjamin

Assistant Community Development Director / Planner Angela Mesaros

Finance Director Lou Cipparrone

Fire Chief David Fleege

Public Works Director Ryan Gillingham

Police Chief Mike Holub

President Asperger announced that there would be two meetings this evening. The first being a public hearing regarding the 2009 tax levy for fiscal year 2010-11 and the regular Village Board meeting.

II. 2009 PROPERTY TAX LEVY REQUEST FOR USE IN FY 2010-11

President Asperger explained that prior to the adoption of a tax levy when the aggregate levy is more than five percent greater than the preceding year's tax levy extension, exclusive of debt service, a public hearing is required in accordance

with the Truth in Taxation Act. As the proposed levy for 2009 exceeds five percent due to the levy amount allowed under the property tax cap and projected new growth, a public hearing has been scheduled for this evening. The amount of the Village's proposed property tax increase is 7.60%. This increase was reviewed by the Village Board on November 9, 2009.

III. COMMENTS FROM AUDIENCE (WRITTEN COMMENTS)

Caroline Coryell, 115 S. Spring noted her presence along with Jeannie Dilger-Hill, Library Director if there were any questions related to the library tax levy.

President Asperger added that the Village had also received a written comment from the resident at 711 S. Waiola which will be addressed during the regular meeting.

IV. ADJOURNMENT

At 7:40 p.m. it was moved by President Asperger and seconded by Trustee Langan that the Public hearing adjourn. Motion carried by voice vote.

VILLAGE OF LA GRANGE BOARD OF TRUSTEES REGULAR MEETING

1. CALL TO ORDER AND ROLL CALL

The regular meeting of the Board of Trustees of the Village of La Grange was called to order at 7:42 p.m. by President Asperger. On roll call, as read by Administrative Secretary Ellie Elder, the following were:

PRESENT: Trustees Holder, Horvath, Kuchler, Langan, Livingston, and Palermo

ABSENT: Village Clerk Milne

OTHERS: Village Manager Robert Pilipiszyn
Village Attorney Mark Burkland
Assistant Village Manager Andrianna Peterson
Community Development Director Patrick Benjamin
Assistant Community Development Director / Planner Angela Mesaros
Finance Director Lou Cipparrone
Fire Chief David Fleege
Public Works Director Ryan Gillingham
Police Chief Mike Holub

2. PRESIDENT'S REPORT

A. Resolution of Appreciation – Retirement of Police Lieutenant Vic Arnold

President Asperger recited a Resolution of Appreciation for retired Police Lieutenant Vic Arnold and on behalf of the entire Village Board expressed sincere gratitude and deepest appreciation for his many years of public service. President Asperger requested approval of the Resolution of Appreciation for retired Police Lieutenant Vic Arnold. Approved by voice vote.

Lieutenant Arnold was presented with the Resolution and best wishes were extended to him.

B. Oath of Office Police Sergeant Miles Odom

With the recent retirement in the Police Department, Squad Leader Miles Odom was promoted by the Board of Fire and Police Commissioners to the rank of Police Sergeant on November 21, 2009. President Asperger invited Miles Odom forward and Administrative Secretary Ellie Elder administered the oath of office.

C. Employee Recognition – Police Officer Steve Kneifel For His Active Military Service In Afghanistan

President Asperger explained to the audience that in November of 2008, La Grange Police Officer Steve Kneifel reported for Active Military duty with the United States Army in support of the War in Afghanistan. Noting his numerous military awards, President Asperger and the Village Board recognized his service to our country and presented Steve with a Commemorative Afghanistan Medal and Certificate.

President Asperger announced news from Congressman Dan Lipinski that \$700,000 has been allocated through a federal omnibus appropriations bill for the renovation of the Stone Avenue station.

Congratulations were extended to the La Grange Business Association on their annual Christmas Walk throughout the Central Business District. Special thanks were given to all of the volunteers and the Department of Public Works for their efforts in the success of the event.

Praise was given to the La Grange Ministerium and Pastor Debra Williams for organizing a luncheon gathering business and community leaders.

President Asperger noted that a previous liquor commission meeting was held to consider an application made by Kama Restaurants LLC with a recommendation to issue such a license.

Lastly, President Asperger noted that the December 28 Village Board meeting would be canceled. The next regularly scheduled Village Board meeting will be January 11, 2010.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

None.

4. OMNIBUS AGENDA AND VOTE

A. Ordinance (#O-09-37) Termination of the La Grange Downtown Tax Increment Financing District

B. Ordinance (#O-09-38) Approving and Adopting Rules, Regulations, and Forms for the Implementation of the Illinois Freedom of Information Act

C. Equipment Purchase – Emergency Generator / Police & Fire Facility (Cummins N Power, LLC, Hodgkins, IL \$107,413)

D. Equipment Purchase – Public Works Department / Above Ground Fuel Storage Tank (Petroleum Technologies Equipment, Inc., Lyons, IL \$19,812)

E. Resolution (#R-09-14) Approving and Authorizing the Execution of an Intergovernmental Agreement Establishing the Northern Illinois Municipal Natural Gas Franchise Consortium

F. Resolution (#R-09-15) Approving an Easement Agreement and Letter Agreement Between the Village and AT&T

G. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, November 9, 2009

H. Minutes of the Village of La Grange Special Meeting of the Village Board of Trustees, Monday, November 9, 2009

I. Consolidated Voucher 091123 (\$626,060.98)

J. Consolidate Voucher 091214 (\$1,898,131.91)

It was moved by Trustee Langan to approve items A, B, C, D, E, F, G, H, I, and J. of the Omnibus, seconded by Trustee Kuchler.

Trustee Palermo inquired as to when AT&T U-Verse would be available and Assistant Village Manager Andrianna Peterson responded.

Trustee Palermo requested a sentence in the minutes of the special Village Board meeting be stricken.

Trustee Palermo referenced information on the Attorney General's website regarding the new Freedom of Information Act and requested the information be made part of the application. Village Manager Pilipiszyn was in agreement.

Trustee Livingston commented on the closing of the TIF, noting his pride in the success of this partnership with school districts, the library, and the community. Trustee Livingston inquired about the source of funding for the emergency generator and was informed that funds have been allocated in the Equipment Replacement Fund, through the Emergency Telephone System Fund.

Trustee Horvath concurred with Trustee Livingston on the success of the TIF District and inquired about amounts to be returned to the taxing bodies. Finance Director Cipparrone responded.

Approved as amended by roll call vote.

Ayes: Trustees Holder, Horvath, Kuchler, Langan, Livingston, Palermo, and President Asperger

Nays: None

Absent: None

5. CURRENT BUSINESS

A. Ordinance (#O-09-39) – Abatement of 2009 Tax Levy / 2005 Street Light Refunding Bonds: Referred to Trustee Holder

Trustee Holder briefly explained the background of the Residential Streetlight Program noting the Village Board's approval to issue alternate revenue bonds in 1998 to complete the program. Due to more favorable interest rates in 2005, the Village adopted an ordinance authorizing the refunding of the remaining outstanding bonds, thereby saving the Village approximately \$100,000 in interest over the remaining life of the issue which matures on December 1, 2017. Trustee Holder added that the Series 2005 bond issue is a general obligation, alternate revenue source issue, backed by the full faith and credit of the Village. Revenues derived from the collection of utility taxes are pledged to pay the principal and interest expenditures related to this issue. Because sufficient revenues from the utility tax are available within the General Fund, it is appropriate to abate this portion of the tax levy.

It was moved by Trustee Holder to approve the Ordinance abating taxes levied for 2009 with respect to the \$2,785,000 General Obligation Refunding Bonds, Alternate Revenue Source, Series 2005, in the amount of \$296,575, seconded by Trustee Langan. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo, and Holder

Nays: None

Absent: None

B. Resolution - (Library Resolution No. R-11.17-B-2009) – Levying a Tax for Library Operating Purposes: Referred to Trustee Holder

Trustee Holder explained the La Grange Library Board of Trustee's 2009 tax levy request for operating purposes is \$1,920,284 which is a 7.60% increase over last year's tax levy. This is the allowable increase under the Property Tax Limitation Act and is equal to the increase of the Village tax levy request. Because the La Grange Library is a "municipal library" rather than a separate "public library district" it must levy property taxes as part of the Village of La Grange tax levy.

Trustee Holder noted that representatives from the Library are in attendance to answer any questions.

It was moved by Trustee Holder to accept La Grange Public Library Resolution approved by the Library Board, seconded by Trustee Langan. Approved by voice vote.

C. Ordinance (#O-09-40) – 2009 Property Tax Levy for Village Operations:
Referred to Trustee Holder

Trustee Holder explained that the preliminary 2009 property tax levy was reviewed and discussed in detail at the November 9, 2009 Village Board meeting. It was determined the increase in the levy exceeded the Truth in Taxation requirements and therefore a public hearing was held prior to this meeting. The final tax levy includes an increase of 7.60%, exclusive of debt service, over the prior year's tax extension. The increase reflects the allowable increase under the Property Tax Limitation Act of 0.1% (Consumer Price Index) as of December 2008.

Trustee Holder specifically noted that responsible Village government; the end of TIF; and other new growth, an average home with an assessed property value of \$250,000 would only incur an annual increase of \$.88 from the Village levy and an increase of \$.29 from the Library levy. Trustee Holder believes this explanation addresses the written concerns received from Mr. Ralph Kravis, resident at 711 S. Waiola Avenue.

Although a Special Service Area levy is filed with Cook County to fund on-going maintenance of the Central Business District, it is not subject to Truth in Taxation requirements. By ordinance the Special Service Area levy is to be adjusted annually by the Consumer Price Index utilized as part of the Property Tax Limitation Act. Trustee Holder noted the 2009 Special Service Area levy of \$57,042, reflects an increase of 0.1% over last year's levy of \$56,985.

Trustee Holder added that two workshops were conducted in October and November 2009, regarding pension fund levies. It was the consensus of the Board to make the annual required pension fund contributions based upon independent actuarial valuations of each fund for the year ended April 30, 2009.

It was moved by Trustee Holder to adopt the ordinance requesting a 2009 property tax levy of \$7,705,269, exclusive of debt service, which is a 7.60% increase from the 2008 levy, seconded by Trustee Langan.

Trustee Palermo noted he would be voting nay on this item as he believes the contributions to the pension funds are insufficient and the retirement age should be changed from 70 to 62.

Trustee Kuchler inquired of Trustee Palermo the relationship of retirement age and adoption of the tax levy. Trustee Kuchler proceeded to inquire of Trustee Palermo if he supported higher or lower taxes. Trustee Palermo responded that he would like to see less allocated to the General Fund and more to the Pension Funds. Trustee Kuchler indicated the vote is not for allocating funds.

Trustee Langan noted his support of the tax levy and this was not the time to further discuss pension funds.

Trustee Horvath indicated his support of the tax levy, however believes Trustee Palermo's concerns for allocation are important. Trustee Horvath questioned if approval of the tax levy has any restrictions on pension funds and Finance Director Cipparrone indicated no.

President Asperger does not concur with Trustee Palermo's characterization of the property tax levy and reminded him that staff will review the matter for upcoming budget discussions.

Approved by a 5 (five) to 1 (one) roll call vote.

Ayes: Trustees Langan, Livingston, Holder, Horvath and Kuchler

Nays: Trustee Palermo

Absent: None

D. Ordinance (#O-09-41) – Amendments to Commercial Districts – Purposes, Permitted Uses and Special Uses Lists and Zoning Map, Village of La Grange: Referred to Trustee Kuchler

Trustee Kuchler reported on the Village's ongoing review of the Zoning Code and the process by which the Plan Commission completed public hearings in order to move forward with recommendations for the proposed amendments to the Zoning Code. Trustee Kuchler explained that the amendments basically refer to the Special Use Lists; the Commercial Districts; the Triangle property; and Zoning Map amendments.

Trustee Kuchler explained in detail the recommendations made by staff and the Plan Commission. Trustee Kuchler moved to approve an Ordinance Amending Article V of the La Grange Zoning Code related to permitted uses; special uses;

and related provisions in the Commercial Zoning Districts and related elements of the La Grange Zoning Map, seconded by Trustee Langan.

Trustee Langan expressed his gratitude to staff and Plan Commission for the evolution of process. Their insight for change and their thoughtful recommendations, help to improve the community.

Trustee Horvath inquired if there were any Triangle Redevelopment Agreement tax issues and Attorney Burkland indicated none.

Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo, and Holder

Nays: None

Absent: None

6. MANAGER'S REPORT

Village Manager Robert Pilipiszyn noted that the new enhanced pedestrian crossing at 47th Street and 9th Avenue was fully operational. Comments on its functionality and effectiveness are invited.

As a public service announcement, Manager Pilipiszyn explained a new State Law to become effective on January 1st regarding the restricted use of cell phones while operating a motor vehicle.

Mr. Pilipiszyn added that the Cook County Clerk's office has informed the Village that residents in Precinct 7 who previously voted at Meadowbrook Manor will now vote at the La Grange Community Center, 200 Washington Avenue.

Manager Pilipiszyn encouraged residents to visit the Village website for detailed information on all of these items.

Mr. Pilipiszyn indicated that complimentary holiday tree pick-up will commence after December 25 and run through January 7.

Lastly, the Village Hall will close at noon on Thursday, December 24 and December 31 and all day on Friday, December 25 and January 1 for the holidays. A full compliment of public safety personnel will be available during the holidays and regular office hours will resume on Monday, December 28 and January 4.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

Kathy Deane, detailed her concerns relative to pension funding and annotated her suggestions. President Asperger noted the complexity in pension funding adding that the Village Board and staff will continue to rely on professional consultants for expert advise regarding pension funding.

Mr. Zissimopoulos, 711 W. Hillgrove, owner of Y & Z Kids noted on-going issues with the building permit process and fire department inspections. Mr. Zissimopoulos requested resolution by the Village Board. President Asperger acknowledged that Board members have been copied on the matter and are aware of discussions between staff and the Village Attorney to resolve the issues.

Pastor Debra Williams inquired about notification to residents in voting precinct changes. Village Manager Pilipiszyn indicated that Cook County would be notifying voters via mail. Pastor Williams noted that the Lacey-Hill Thanksgiving feast was well attended and encouraged all to participate in this annual event to serve others in the community.

Harlan Hirt, 421 S. Spring inquired about the Village's role in the litigation regarding Shawmut Avenue. President Asperger clarified that the Village is not involved in the litigation.

Thom Rae, publisher of EverythingLaGrange.com clarified items posted on his website regarding Shawmut Avenue and the Park District of La Grange.

8. EXECUTIVE SESSION

9. TRUSTEE COMMENTS

Trustee Kuchler expressed thanks to Pastor Williams in providing information relative to the Lacey-Hill families volunteer contributions to the community. Trustee Kuchler also thanked all involved in the annual downtown holiday walk. Lastly, Trustee Kuchler encouraged resolution regarding the matter with business owners of Y & Z Kids.

Trustee Horvath expressed his gratitude for the newly installed enhanced pedestrian crossing at 47th Street and Ninth Avenue. Trustee Horvath inquired about IDOT approval for future pedestrian crossing projects. Village Manager Pilipiszyn noted that the Village is gathering experience and accepting resident comments on the newly installed improvement before proceeding with IDOT permit applications for the two other proposed enhanced pedestrian crossings.

President Asperger extended holiday wishes to all.

10. ADJOURNMENT

At 9:20 p.m. it was moved by Trustee Langan to adjourn, seconded by Trustee Horvath. Approved by voice vote.

Approved: 02/01/10